

RULES
FOR THE
CIVIL SERVICE COMMISSION

KING COUNTY WASHINGTON

RULES FOR THE CIVIL SERVICE COMMISSION

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RULES FOR THE
CIVIL SERVICE COMMISSION
KING COUNTY, WASHINGTON

RULE 1: PURPOSE, EFFECT, AMENDMENT AND ADMINISTRATION

Section 1.1 Purpose

These rules shall give effect to the provisions of RCW Chapter 41.14, as amended, of the State of Washington providing Civil Service for Deputy Sheriffs. They set forth the principles and procedures which are to be followed in the conduct and administration of the Civil Service program. The rules are designed to provide the public, the Appointing Power and his employees with assurance that personnel actions and personnel problems will be carried out and dealt with uniformly and equitably. Merit principles and scientific personnel methods form the basis of these rules. These rules shall not be waived or modified except as provided in Section 1.3.

Section 1.2 Effect

These rules, when processed and adopted by the Civil Service Commission, shall have the force and effect of law subject to RCW 41.14, as amended.

Section 1.3 Amendment

The Civil Service Commission or the Manager may initiate recommendations for amendments or revisions to the Civil Service Rules. Recommendations may be submitted to the Civil Service Commission by the Sheriff-Director, employees of the Department of Public Safety or their representatives and interested citizens. The Civil Service Commission shall conduct public hearings after due notice before taking final action on such amendments or revisions. Any amendments or revisions not inconsistent with RCW Chapter 41.14, as amended, shall become effective, when

adopted by the Civil Service Commission.

Due notice as used in this section shall mean that at least two weeks prior to such meeting the Secretary and Manager shall see that public notice is provided as set forth in Section 3.28 of these rules.

Section 1.4 Administration

The Manager shall be charged with the responsibility for the administration of these rules.

RULE 2: POSITIONS COVERED BY THESE RULES

Section 2.1 Classified and Unclassified Services

The Department of Public Safety is divided by RCW Chapter 41.14, as amended, into the Classified and Unclassified Services:

- A. The Unclassified Service shall consist of the positions of Sheriff-Director, Under-sheriff, Inspector, Chief Criminal Deputy, Chief Civil Deputy, Jail Superintendent and one Private Secretary or such equivalent positions as may be determined by the Sheriff-Director. The Unclassified Service is exempt from the provisions of these rules.
- B. The Classified Service shall consist of all police officers and other employees of the Department of Public Safety not specifically included in the Unclassified Service.

RULE 3: DEFINITIONS OF TERMS USED IN THESE RULES AND REGULATIONS

Section 3.1 Advancement

"Advancement" shall mean a salary increase for a position made without examination based upon satisfactory or better performance ratings and a scheduled time grade within the same classification.

Section 3.2 Advance Notice

"Advance Notice" shall mean giving an advisory by Public Notice at least five working days in advance of a public Civil Service hearing taking place other than the Regular Monthly Meeting and Special Meetings of the Commission.

Section 3.3 Allocate

"Allocate" shall mean the act of assigning each position to its proper class on the basis of similarity of duties and responsibilities or required qualifications.

Section 3.4 Appoint

"Appoint" shall mean the act of the Appointing Power in assigning to a position such eligible or eligibles as have been certified or are being employed in such positions.

Section 3.5 Appointing Power

"Appointing Power" shall mean the Sheriff-Director or a person designated by him with authority to appoint, discipline or remove subordinate employees, subject to these rules.

Section 3.6 Assignment

"Assignment" shall mean the delegation of Civil Service personnel to duties of the same class for which added compensation by budget action is authorized.

Section 3.7 Certify

"Certify" shall mean the act of the Commission in supplying the appointing power with the names of applicants who are eligible for appointment to the class and positions in the Classified Service for which certification is requested.

Section 3.8 Class

"Class" shall mean a position or group of positions having similar duties and responsibilities, requiring similar qualifications, which can be properly designated by one title indicative of the nature of the work and which carry the same salary range.

Section 3.9 Classified

"Classified" shall mean the assignment of an individual position to a class by the Commission.

Section 3.10 Classes, Series of

"Classes, Series of" shall mean two or more classes similar as to line of work and differing as to responsibility and difficulty, arranged in a ladder of steps in a normal line of promotion.

Section 3.11 Continuous Service

"Continuous Service" shall mean employment in the Department of Public Safety as a regular or probationary employee which is uninterrupted except for authorized leave of absence, disability leave, or separation due to layoff; however, time lost due to layoff, disability leave or approved absence in excess of 30 days without pay shall not be included in the determination of length of continuous service unless required by federal or state statute.

Section 3.12 Demotion

"Demotion" shall mean the assignment of an employee to a position in a lower class than the position from which the assignment is made.

Section 3.13 Discharge

"Discharge" shall mean separation of an employee for cause.

Section 3.14 Eligible

"Eligible" shall mean a person listed on an active eligible list and who has rights under these Rules to be certified for appointment.

Section 3.15 Eligible List (Amended 4/21/76)

"Eligible List" shall mean a list of all persons who have qualified for appointment to positions within a certain class under the provisions of these Rules, who have not yet been appointed to such class and who have not been removed from such list in accordance with these Rules. The six types of eligible lists are: Reemployment, In-Series Reemployment, Out-of-Series Reemployment, Reinstatement, Promotional and Open Competitive.

Section 3.16 Employee

"Employee" shall mean a person occupying a position and who is paid a salary or wage for services rendered.

Section 3.17 Grievance

"Grievance" shall mean a cause for complaint on the part of an employee or employees.

Section 3.18 Layoff

"Layoff" shall mean the interruption of service and pay of an employee because of lack of work or funds.

Section 3.18.1 Manager

"Manager" shall mean the Manager of the Personnel Division of King County or designee.

Section 3.18.2 Open Competitive List (Added 8/18/76)

"Open Competitive List" shall mean an eligible list comprised of qualified applicants who have successfully completed an open competitive examination pursuant to Section 8.8 and/or Rule 15.

Section 3.19 Personnel Action

"Personnel Action" shall mean actions and procedures governing appointments, promotion, transfer, layoff, dismissal, disciplinary measures and others related to employment of people.

Section 3.20 Position

"Position" shall mean a group of current duties and responsibilities, described by an approved job specification, which has been assigned or delegated by the Appointing Power, requiring the full-time or part-time services of an employee.

Section 3.21 Probationary Employee

"Probationary Employee" shall mean any employee who is serving his probationary period prior to being permanently appointed to a position.

Section 3.22 Probationary Period

"Probationary Period" shall mean that one-year period during which an employee's skills, aptitudes and adjustments are made in accordance with RCW 41.14.130 prior to his permanent appointment to that position.

Section 3.23 Promotion (Amended 4/21/76)

"Promotion" shall mean the change in status of an employee to a position in a higher class than that of the position previously occupied.

Section 3.24 Promotional List (Amended 4/21/76)

"Promotional List" shall mean an eligible list comprised of employees in the classified service, who have successfully completed a promotional examination, pursuant to Section 8.9.

Section 3.25 Provisional Appointment

"Provisional Appointment" shall mean a noncompetitive appointment made for a period not to exceed four months for any one person in any one fiscal year to fill a classified position pending establishment of an eligible list for the class.

Section 3.26 Provisional Employee

"Provisional Employee" shall mean any employee filling a position without competition pending the establishment of an employment list.

Section 3.27 Public Hearings

"Public Hearings" shall mean a hearing held at any regular monthly meeting of the Civil Service Commission or one called by the Commission.

Section 3.28 Public Notice

"Public Notice" shall mean giving notice in writing by posting on bulletin boards kept for that purpose by the County Personnel Office and in at least two conspicuous public places in the County Courthouse, or by publication in two or more newspapers having broad circulation within King County.

Section 3.29 Reemployment List (Amended 4/21/76)

"Reemployment List" shall mean a list containing, in inverse order of layoff, names of persons who have been employed in the Classified Service as Regular or Probationary Employees and who have been separated pursuant to the provisions of Section 11.2. Other types of reemployment lists are:

In-Series Reemployment List: A list which allows a laid off employee to be considered for referral to a position in a lower classification within the same series in lieu of layoff, pursuant to Section 11.3.

Out-of-Series Reemployment List: A list outside of the classification from which the employee was laid off, which allows a laid-off employee to be considered for referral to out-of-series positions if he/she meets the necessary out-of-series requirements, pursuant to Section 11.3.

Section 3.29.1 Reinstatement List (Added 4/21/76)

"Reinstatement List" shall mean a list containing names of persons who have been employed in the Classified Service as regular or probationary employees, who have resigned and been subsequently determined as eligible for reinstatement, pursuant to the provisions of Section 11.1.

Section 3.30 Regular Employee

"Regular Employee" shall mean any employee in the Classified Service who has been permanently appointed after serving a probationary period to a County budgeted position and normally involving continuous year-round service.

Section 3.31 Retention List (Deleted 4/21/76)

Section 3.32 Retention Standing (Deleted 4/21/76)

Section 3.33 Step Increase

"Step Increase" shall mean the next higher within class salary increment to which an incumbent of a job class is entitled. Step increases are generally periodic and prescribed in number by budgetary allotment. Satisfactory or better services attested to by the Appointing Power as contained in reported Performance Ratings and Commission approval are conditions precedent to allocation of step increases.

Section 3.34 Suspension

"Suspension" shall mean temporary termination of services without pay for disciplinary purposes.

Section 3.34.1 Vacancy (Added 3/24/82)

A vacancy exists in a classified position upon the death, resignation, or dismissal of the incumbent, or when the Commission determines there is cause to believe the incumbent will not return to duty.

Section 3.35 Working Days

"Working Days" shall mean Monday through Friday, excluding official holidays.

Section 3.36 Written Notice

"Written Notice" shall mean the service of a notice of any action of the Commission in writing either on the person directly or by mail. When the service is by mail, the notice must be deposited in the United States Post Office with postage prepaid and addressed to the person to whom it is to be served at his last known address as it appears on the records of the Civil Service Commission. Such notice shall be deemed completed at the time of deposit in the receptacle provided by the Post Office Department. The method of service of notice shall be exclusively within the jurisdiction of the Commission.

RULE 4: ORGANIZATION

Section 4.1 The Civil Service Commission

The Civil Service Commission shall immediately after appointment of the Commission elect one of its members Chairman and thereafter a Chairman shall be elected annually by the Commission at its regular monthly meeting in February.

Section 4.2 Meetings

The Civil Service Commission shall hold regular meetings at least once a month open to the public. Day of the month and time of meetings shall be fixed by resolution. Additional meetings may be held by the Commission as may be required for the proper discharge of its duties and at the call of the Chairman.

Advance notice shall be given of such meetings.

Section 4.3 The Personnel Manager

The Personnel Manager shall, subject to the regulation of the Commission:

- A. Prepare such forms and initiate such procedures as may be considered necessary, appropriate, or desirable to fulfill the Civil Service Commission's responsibilities and duties.
- B. Maintain the Position-Classification Plan based on the duties, responsibilities and nature of work of positions in the Classified Service.
- C. Provide for the establishment and maintenance of such records as the Civil Service Commission deems advisable or necessary.
- D. Provide a system of checking payrolls, so as to determine that all persons in the Classified Service have been properly appointed and are being paid in accordance with RCW 41.14.150.

- E. Develop and administer such recruiting and examination programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the King County Department of Public Safety. Prepare eligible lists based upon results of competitive examinations.
- F. Act as Secretary to the Civil Service Commission by providing for the keeping of the minutes of meetings, submitting same for approval of the Commission and signature of the Chairman. Perform other duties related to meetings as may be assigned to him by the Commission.
- G. Perform such other activities with reference to personnel administration, not inconsistent with RCW 41.14, as amended, and these Rules, as may be deemed necessary or desirable and as the Civil Service Commission may direct.

RULE 5: THE CLASSIFICATION PLAN

Section 5.1 Classifications, Revisions, Allocations, Appointments, General

The Commission shall classify all positions listed under Section 2.1(B) thus providing a complete inventory of all positions in the Classified Service. Classifications shall be made so as to place each type of service into a separate group and by dividing each group into grades on the basis of equivalent functions and responsibilities. The Classification Plan shall standardize titles each of which shall be indicative of a range of duties and responsibilities and have the same meaning throughout the Classified Service.

Section 5.2 Revisions

Requests for revisions to position classifications by the Appointing Power shall be accompanied by organization charts, position classification recommended and position specifications. No allocations, appointments or promotion to any position shall be made except as provided for herein.

Section 5.3 Composition of the Classification Plan

The Classification Plan shall consist of:

- A. A grouping into classes of positions which are of approximately equal difficulty, responsibility and authority which require the same general qualifications and could use the same testing recruits for qualification, and which can be equitably compensated for within the same range of pay under similar working conditions.
- B. A class title, descriptive of the work of the class, which shall identify each class.

- C. Written class specifications for each class of position, containing a description of the nature of the work and of the relative responsibility of positions in the class, examples of work which are illustrative of duties of positions allocated to the class, requirements of work in terms of knowledge, abilities and skills necessary for performance of the work, and a statement of minimum experience and training, with appropriate substitutions, for recruitment into the class.

Section 5.4 Class Titles (Amended 4/16/75)

Class titles shall be used in all personnel, accounting, budgeting, appropriation and financial records. No person shall be appointed to, or employed in a position in the Classified Service Plan under a title not included in the Classification Plan.

Section 5.5 Class Specifications

The specifications of the classes of positions in the Classification Plan and their various parts shall be used as a guide in the classification of positions and have the following force and effect:

- A. The specifications are descriptive and not restrictive. They are intended to indicate the kinds of positions that are allocated to the several classes as determined by their duties and responsibilities. Specifications are to be interpreted in their entirety and in relation to others in the Classification Plan. Particular phrases or examples are not to be isolated and treated as a full definition of class.
- B. In determining the class to which any position should be allocated, the specification of each class shall be considered as a whole. Consideration shall be given to the duties, specific tasks, responsibilities,

qualification requirements and relationships to other classes, as together affording a statement of the employments that the class is intended to so embrace.

Section 5.6 Use of the Classification Plan

The Classification Plan shall be used:

- A. In preparing public announcements of examinations or vacancies.
- B. As a guide in preparing examinations which may be used to appraise the qualifications of applicants for work in specific classes.
- C. In determining promotional sequence.
- D. In providing uniform job terminology which is clearly understandable to county officers, employees and the general public.
- E. In setting up appropriate employment lists from which personnel may be certified to fill vacancies.
- F. As a guide in making appointments and assigning duties.

Section 5.7 Maintenance of the Classification Plan

The Manager is charged with the responsibility for the proper and continuous maintenance of the Classification Plan so that it will reflect on a current basis the duties being performed by each employee in the Classified Service and the class to which each position is allocated.

The Manager shall recommend, after a survey and consultation with the Appointing Power, to the Civil Service Commission necessary amendments to the Classification Plan in the form of new classes, revision of existing classes and the abolition of classes no longer required in the Plan. Upon the Civil Service Commission approving the establishment of a new classification or the abolition of an existing classification, the County Executive, County Council, and the Appointing Power shall be notified in

order that appropriate action may be taken in regard to compensation for the classes involved. Revisions of class specifications and reallocations within the Classification Plan shall be made as follows:

- A. The Manager shall study the duties and responsibilities of each new position as it is created and on the basis of this study place the position in the appropriate class within the Classification Plan for the duties performed.
- B. Changes in the duties and responsibilities of a position involving either the addition of new assignments or the taking away or modification of existing assignments shall be reported to the Manager by the Appointing Authority. If these are determined to be permanent, are more than minor changes, and justify a reallocation to a different classification, the Manager shall place such position in its appropriate class.
- C. The Manager shall periodically review the classification of positions, and, upon the basis of his investigation, make appropriate changes in allocations or recommend changes in the Classification Plan.

Section 5.8 Status of Employees Affected by Reclassification (Amended 12/2/85)

This section describes the method for assigning employees affected by a reclassification in connection with administration of the Classification Plan. For purposes of this section, "former class" refers to the class containing the position held by the employee immediately prior to the reclassification and "new class" refers to the class to which the position held by the employee has been allocated.

- A. Where a position has been reallocated to a class with a lower salary range, the employee holding the position shall be assigned to a vacant

position in the former class. If no such vacancy is available, the employee will be assigned a position in the new lower class and placed on the reemployment list for the former class, without limitation of time. The employee shall have the same regular or probationary status in the new lower class that had been achieved in the former class.

- B. Where a position has been reallocated to a class with a higher salary range, a regular employee holding the position shall be assigned to the new class and shall have the same status in the new class that had been achieved in the former class, i.e., regular or probationary, if the Commission determines that the additional duties and responsibilities of the position had been added at least one year before it was reallocated. In all other cases, the employee holding the position shall be assigned to the former class and the position shall be filled by appointment from an eligible list.
- C. Where a position has been reallocated to a class which the Commission determines is substantially equivalent to the former class, the employee holding the position shall be assigned to the new class and shall have the regular or probationary status in the new class that had been achieved in the former class.

Section 5.9 Allocation Appeals

The Appointing Power or any employee who believes his position has been improperly allocated or reallocated to a class may appeal within thirty days of the allocation or reallocation to the Commission. This time limit may be waived by the Commission. Such appeals shall be in writing and fully set forth the reasons therefore. The appellant and the Appointing Power shall be given a reasonable opportunity to be heard by the

Commission. Any decision of the Commission, under this provision, which allocates a position to a different class in the Classification Plan shall be retroactive to the date the appeal was first filed.

Section 5.10 Perform Duties of Class

The Appointing Power shall not require or permit an employee to perform duties outside his proper class, except in emergencies reported to the Commission and only for a maximum period of 30 calendar days, extendable at the option of the Commission.

Section 5.11 Reporting Violations of Classification Regulations

Whenever any employee believes he is being required to perform duties outside the proper scope of his class, he shall report the facts in writing to the Appointing Power. Should he not be satisfied that the situation has been corrected within three weeks, he shall report the facts in writing to the Commission.

The Commission shall then investigate fully the facts involved and shall report its findings to the Appointing Power and employee involved.

Section 5.12 Reallocations

Whenever it becomes necessary in the administration of any department to change, add to, or take from a position duties which may change the allocation of the position, the Appointing Power shall report such fact to the Commission with a request for investigation. He shall submit, along with his request, organizational charts showing "before and after" organization, classification recommended and revised job specification.

Section 5.13 Time for Filing Requests for Reallocation

Requests for reallocation of a position shall be made, whenever possible, before the annual budget is submitted for the succeeding year.

Section 5.14 Compensation Not Affecting Classification

Compensation or salary shall not be a factor in determining the classification of any position or the standing of any incumbents.

RULE 6: QUALIFICATION FOR EXAMINATION

Section 6.1 Citizenship

An applicant for a position of any kind under civil service must be a citizen of the United States who can read, write and speak the English language so as to be easily understood.

Section 6.2 Age

The minimum age limit, unless specifically designated otherwise by the Commission or state law, shall be 18 years at the time of appointment.

The maximum age limit, unless specifically designated otherwise by the Commission or state law, shall be relatable to that physical condition adequate for the demands of the job classification as determined by the Commission's Examining Physician during the medical examination prior to certification to a job vacancy.

Section 6.3 Age at Time of Filing for Employment

The Commission may permit filing by applicants not more than one year under the specified minimum age. If they are successful in passing the examination, their eligibility shall be held in abeyance until they reach the required minimum age, when they must so report in writing to claim their rights. They shall then take their places on the register in accordance with their final examination ratings. Any eligibility so attained shall expire with that of other eligibles from the same examination.

Section 6.4 Special Qualifications

The Commission may demand evidence of a satisfactory degree of education, training or experience, or for any lawful requirements in examinations for classes requiring technical, professional or scientific knowledge and experience, or where special qualifications are required.

RULE 7: RECRUITMENT AND APPLICATION FOR EXAMINATIONS

Section 7.1 Announcement of Examinations (Amended 11/20/74)

Notice of examinations shall be given at least fifteen days in advance of the last date for filing of applications by publication in two or more newspapers of general circulation published in King County, by posting announcements on bulletin boards kept for that purpose by the County Personnel Office and in such other places and in such other manner as the Manager may deem advisable.

Section 7.2 Filing of Applications

All applicants for positions in the Classified Service must submit a signed application on the Commission prescribed form. All applications must be received in the Commission's Office within the time limit fixed in the official announcement of examination.

Section 7.3 Change of Applicant's Address

The applicant is responsible for notifying the Commission in writing within two working days of any change of address.

Section 7.4 Applications for Examinations

General requirements for filing applications:

- A. In order to be admitted to any examination for a position in the Classified Service one must have filed an application upon forms provided by the Commission.
- B. Every person making application must meet the requirements as shown in the announcement of examination for the particular position for which he is applying.

Section 6.5 Physical Standards

For jobs other than Police Officer, Sergeant, Lieutenant, and Captain, the Commission Examining Physician, on the basis of the job requirements and the medical examination results, is the final authority on whether an applicant being examined is capable of physically performing the job.

Section 7.5 Rejection of Application

The Manager may reject any application or applicant for cause, among which the following shall be sufficient:

- A. That the applicant lacks any of the minimum qualifications set forth in the examination announcement.
- B. That the applicant has made false statement in his application with regard to any material fact.
- C. No person who has been dismissed, for cause, from the regular service may file for a position within the service for a period of one year from date of dismissal.
- D. That the applicant, after notification, did not present himself at the time and place designated for the examination.
- E. If an employee is dismissed for cause from the service while his examination is in progress, such dismissal shall be deemed cause for rejection of his application and cancellation of examination or of any eligibility he may have attained.
- F. Any applicant for appointment, promotion, reemployment, increase of salary, or other personal advantage, who shall directly or indirectly pay or promise to pay any money or other valuable thing to any person to achieve such appointment, promotion, reemployment or other personal advantage, shall be ineligible for any further employment in the classified service of the County.

Section 7.6 Postponement and Cancellation of Examinations

Any examination may be postponed or cancelled at the discretion of the Civil Service Commission. In either case, each applicant shall be notified in writing, of the postponement or cancellation.

Section 7.7 Veteran's Preference

Honorably discharged veterans of the Armed Forces who have served in time of war and who receive a passing grade on examinations for the original appointment in the Classified Service shall receive credit in accordance with RCW Chapter 41.04, as amended. To receive such credit, a Department of Defense certificate number DD 214 must be shown at the time of the filing of the application, or upon request thereafter. In addition, the applicant must certify that he has not previously used the Veteran's Preference provided for by RCW Chapter 41.04, as amended, by receiving an offer of employment under its provisions.

Section 7.8 Veteran's Preference Credit on Promotional Examinations

Veterans called or recalled into the military service while a Civil Service employee for a period of one year, or more, during any period of war shall be entitled to have 5% of the overall passing score added to their test scores for their first promotional examination.

RULE 8: EXAMINATIONS

Section 8.1 Examinations Shall Be Impartial

All examinations shall be impartial and shall relate to those matters which will test fairly the capacity and fitness of the candidate to discharge efficiently the duties of the position to be filled. Examinations may be assembled or unassembled, and may include written, oral, physical fitness and performance tests or any combination of these. They may take into considerations such factors as education, experience, aptitude, knowledge, physical fitness or any other qualifications or attributes which, in the judgment of the Commission, enter into the determination of the relative fitness of applicants. The results of personality tests, if given, may not be used as part of the scoring in the establishment of the certified list.

Section 8.2 Identity of Examinees Concealed

The identity of all persons taking a competitive written test shall be concealed from the examiners by the use of an identification number which shall be used on all examination papers. This number shall be used from the beginning of the examination until the papers have all been rated. Any papers carrying the name of the applicant, or any other identification mark, or any candidate who reveals his identification number to the Manager or any member of his staff, directly or indirectly, may be disqualified and the candidate so notified.

Section 8.3 Rating Examinations

Appropriate scientific techniques and procedures shall be used in rating results of examinations and in determining the relative ratings of the competitors. Final examination grades shall be expressed on, or con-

verted to, a scale of 100 for maximum possible attainment and the required passing grade may be set by either the Commission or the Manager. Whenever oral tests are given, the weight given such tests shall not normally carry more than 50% of the total grade of the examination.

Section 8.4 Minimum Grades on Each Section

The Commission may determine the minimum grade for any part or parts of the examination. Any candidate who fails to attain at least this minimum grade shall be considered to have failed the total examination and shall not be examined on any further parts, if any are planned.

Section 8.4.1 Commission Review of Examination Results (Added 7/16/75)

Prior to certification from a new employment list, the overall test results must be accepted by the Commission. If the Commission rejects the results, it must state publicly its reasons for so doing. Notice of this discretionary power of the Commission will be clearly stated on all recruiting announcements.

Section 8.5 Review of Examination by Applicants (Amended 4/16/75; 7/16/75;

3/08/77; 6/22/77)

Any applicant shall have the right to personally inspect a copy of the written examination questions and answers and/or oral examination questions within seven calendar days immediately following the conclusion of each portion of the examination for all participants. Such inspection shall be made in the presence of the Manager or the Commission's authorized representative. Copies of examination questions and answers may not be removed from the designated place of review.

Section 8.6 Protest of Examination Questions and Answers (Amended 4/16/75;
3/08/77;2/03/78)

Should a person complete the review provided for in Section 8.5 and desire to protest the written examination, a written protest shall be filed with the Manager within seven calendar days of the examination review. Should an applicant desire to protest the oral examination, a written protest shall be filed with the Manager within three calendar days of the examination review period. Should an applicant desire to protest a physical agility test or other performance examination, a written protest must be filed with the Manager within seven calendar days of the applicant's examination date.

Section 8.7 Examination Appeal Hearing (Amended 7/16/75; 3/05/77)

Within thirty-one calendar days of the filing of the written protest discussed in Section 8.6, the Commission shall hold a hearing at which the candidate may present all relevant and material evidence to show the invalidity or incorrectness of the examination question or answer protested. The Commission may, in its discretion, consolidate any appeals filed under Rule 8.6 for hearing. Neither the candidate nor the Commission shall be bound by formal rules of evidence. The candidate shall have the right to be represented by counsel, to testify in his own behalf, to call witnesses, and to cross-examine witnesses against him. A written record shall be kept of all proceedings. The candidate must prove the validity of his challenge by a preponderance of the evidence. The Commission shall make a decision based on the evidence and shall notify the candidate in writing of their decision within ten calendar days immediately following the hearing. If the Commission is satisfied as to the validity of the changes proposed by

the candidate, such changes shall be made part of the examination answer key. The original examination answer key, together with any changes approved by the Commission, shall then constitute the final answer key effective immediately upon notification of the candidate or candidates that have pursued review under this section. No further requests for change in the examination answer key will be considered after the Commission has resolved all changes filed in compliance with the provisions of this section. No certified list will be finalized until the resolution by the Commission of all challenges directed to the examination upon which it is based.

Section 8.8 Open Competitive Examinations (Amended 8/16/76)

Positions shall normally be filled through open competitive examinations in which both qualified employees and the general public may compete; however, the Commission may choose to administer a promotional examination, pursuant to Section 8.9. This rule shall be applicable only insofar as it is not inconsistent with Rule 15.

Section 8.9 Promotional Examinations (Amended 3/17/76)

Upon the action of the Civil Service Commission, vacancies for positions higher than entry level may be filled through closed promotional recruiting and testing, open only to eligible employees in the classified service.

Section 8.10 Announcement of Promotional Examination (Amended 8/31/77)

All promotional examinations must be publicized at least fifteen days in advance of the last date for filing of applications by posting announcements on bulletin boards in the corridors of County buildings, and in such other places and in such other manner as the Manager or the Commission may deem advisable under these Rules.

Section 8.11 Medical Examination for Promotion (Amended 3/17/76)

All promotional candidates may be medically examined, with Commission concurrence, prior to their certification to a vacancy. The examining physician appointed by the Commission will report his findings based upon physical standards for promotion to Sergeant, Lieutenant, and Captain. Those candidates reported not medically fit will have their cases reviewed by the Appointing Power who will recommend to the Commission whether or not the candidate should be certified. All recommendations will be considered by the Commission.

Section 8.12 Pistol Qualification for Promotion or Assignment to Higher Grade (Deleted 3/17/76)

Section 8.12.1 Promotional Examination and Appointment Eligibility for Commissioned Officers (Added 3/17/76)

Commissioned personnel applying for promotion may only apply for the next higher grade from that of their present classification. Prior to appointment from a promotional eligible list, a candidate must meet the minimum length in service qualifications for the higher classification, as established in the classification specifications.

Section 8.12.2 Promotional Tests - Ties in Scores (Moved from Section 10.13 - 3/17/76)

Lieutenants, Sergeants, and Police Officers and others competing in promotional tests, who receive tie scores within the classification grades for which they are competing, will have such ties resolved by going back to their prior promotion dates of next lower grades and if necessary until their dates of first employment are reached. In each instance the tie is broken by the individual and/or individuals with senior standings.

Section 8.13 Time Interval

Any person who unsuccessfully competes in an examination for a particular class shall not be eligible to compete in another examination for the same class within six months of the establishment of the employment list resulting from the first examination unless it is otherwise authorized by the Commission.